



Senate

General Assembly

File No. 640

February Session, 2016

Substitute Senate Bill No. 470

Senate, April 14, 2016

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING A PILOT PROGRAM FOSTERING
NEIGHBORHOOD SAFETY AND CREATING A SET-ASIDE PROGRAM
FOR PARTICIPANTS IN THE PILOT PROGRAM, AND AUTHORIZING
BONDING FOR RELATED PROJECTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2016*) (a) There is established a
- 2 pilot program to foster neighborhood safety in urban environments.
- 3 The Secretary of the Office of Policy and Management shall select a
- 4 municipality that has a population of at least one hundred twenty-four
- 5 thousand, but less than one hundred twenty-five thousand, to
- 6 participate in the pilot program. The pilot program shall serve as a
- 7 blueprint for a state-wide reduction of neighborhood violence.
- 8 (b) The pilot program shall be funded by state, federal or private
- 9 moneys and shall provide and coordinate services, initiatives and
- 10 programs for persons who are most likely to be perpetrators or victims
- 11 of gun violence through:
- 12 (1) Program development and implementation, including:

13 (A) School-based initiatives to connect students and their families
14 with culturally competent social and economic service opportunities;
15 and

16 (B) Outreach to persons most likely to perpetrate gun violence or be
17 victims of gun violence;

18 (2) Community capacity building, including:

19 (A) Intervention programs designed to assist persons most likely to
20 perpetrate gun violence or be victims of gun violence;

21 (B) Life skills training to foster resilience to risk factors associated
22 with gun violence, including, but not limited to, skills training in anger
23 management and in nonviolent dispute resolution;

24 (C) A fellowship program for young persons identified pursuant to
25 section 2 of this act or by the municipality's police department or
26 community leaders as most likely to be perpetrators or victims of gun
27 violence, who will be provided with support and developmental and
28 leadership opportunities, including, but not limited to, opportunities
29 for personal, social, educational and vocational growth, which
30 program may include a stipend for participants; and

31 (D) A program for persons participating in the fellowship program
32 under subparagraph (C) of this subdivision to mentor other young
33 persons who may be likely to perpetrate gun violence or be victims of
34 gun violence;

35 (3) Service coordination, including:

36 (A) Coordination between the municipality and state agencies to
37 make the best use of resources; and

38 (B) Partnerships between state and national philanthropic
39 organizations to enable state-wide replication and implementation of
40 the program.

41 (c) Not later than January 1, 2018, and not later than January first of

42 each year thereafter if the municipality received state funding for the
43 program during the previous year, the municipality and the Secretary
44 of the Office of Policy and Management shall jointly submit a report in
45 accordance with the provisions of section 11-4a of the general statutes
46 to the joint standing committees of the General Assembly having
47 cognizance of matters relating to the judiciary and appropriations that
48 details: (1) The number of persons participating in the program; (2) the
49 change in the level of gun-related incidents of violence in the
50 municipality; (3) an evaluation of the services, initiatives and programs
51 described in subsection (b) of this section; (4) the cost of the program in
52 both state and private dollars; and (5) any recommendations to expand
53 the program to other municipalities.

54 Sec. 2. (NEW) (*Effective July 1, 2016*) The local or regional board of
55 education for the municipality participating in the pilot program
56 pursuant to section 1 of this act, shall develop a system to identify
57 children who are at risk to be perpetrators or victims of violence
58 involving a three metrics approach that uses measures of chronic
59 absenteeism, behavioral information, which is primarily based on
60 suspension and expulsion data, and academic issues with primary
61 emphasis on reading and mathematics deficiencies. The board of
62 education shall notify the parent or guardian of any child identified as
63 at risk pursuant to such approach and of any child reentering the
64 school district following a placement or probation through
65 involvement with the juvenile justice system under chapter 815t of the
66 general statutes. Such notification shall request permission for such
67 child to participate in the program established pursuant to section 1 of
68 this act. Any such request shall conform with the Health Insurance
69 Portability and Accountability Act of 1996, P.L. 104-191 (HIPAA), as
70 amended from time to time, and the Family Educational Rights and
71 Privacy Act of 1974, 20 USC 1232g (FERPA), as amended from time to
72 time, and any regulations promulgated thereunder at 34 CFR Part 99.
73 If the parent or guardian grants such permission, such child's name
74 shall be forwarded to the administrators of said program for inclusion
75 in said program. The administrators of said program shall maintain
76 any information pertaining to such child in a secure manner.

77 Sec. 3. (*Effective July 1, 2016*) Notwithstanding any provision of the
78 general statutes, the municipality of Hartford shall, when awarding a
79 municipal public works contract, as defined in section 4a-60g of the
80 general statutes, for a project associated with the (1) Minority
81 Contractors' Urban Home Initiative, (2) Connecticut Equestrian and
82 Exhibition Center, for the Ebony Horsewomen, Inc., or (3) Upper
83 Albany Main Street project, state in its notice of solicitation for
84 competitive bids or request for proposals or qualifications for such
85 contract that the general or trade contractor shall be required to
86 comply with the provisions of section 4a-60g of the general statutes,
87 and the requirements concerning nondiscrimination and affirmative
88 action under sections 4a-60 and 4a-60a of the general statutes and may
89 inquire whether a bidder is a business enterprise that contributes to the
90 pilot program pursuant to section 1 of this act and provides vocational
91 training to young persons participating in the fellowship program
92 under said pilot program. Any contractor awarded a municipal public
93 works contract for such project shall, on the basis of competitive
94 bidding procedures, (A) set aside at least twenty-five per cent of the
95 total value of the state's financial assistance for such contract for award
96 to subcontractors who are small contractors, and (B) of that portion to
97 be set aside in accordance with subparagraph (A) of this subdivision,
98 (i) reserve a portion equivalent to twenty-five per cent of the total
99 value of the contract or portion thereof to be set aside for awards to
100 subcontractors who are minority business enterprises, and (ii) reserve
101 a portion equivalent to ten per cent of the total value of the contract or
102 portion thereof to be set aside for awards to subcontractors who are
103 business enterprises that contribute to the pilot program pursuant to
104 section 1 of this act, provided such subcontractor provides vocational
105 training to young persons participating in the fellowship program
106 under said pilot program and hires at least ten per cent of such young
107 persons to work under such subcontract.

108 Sec. 4. (*Effective July 1, 2016*) (a) For the purposes described in
109 subsection (b) of this section, the State Bond Commission shall have
110 the power from time to time to authorize the issuance of bonds of the
111 state in one or more series and in principal amounts not exceeding in

112 the aggregate five hundred thousand dollars.

113 (b) The proceeds of the sale of such bonds, to the extent of the
114 amount stated in subsection (a) of this section, shall be used by the
115 Department of Economic and Community Development for the
116 purpose of a project in the city of Hartford associated with the
117 Minority Contractors' Urban Home Initiative.

118 (c) All provisions of section 3-20 of the general statutes, or the
119 exercise of any right or power granted thereby, that are not
120 inconsistent with the provisions of this section are hereby adopted and
121 shall apply to all bonds authorized by the State Bond Commission
122 pursuant to this section. Temporary notes in anticipation of the money
123 to be derived from the sale of any such bonds so authorized may be
124 issued in accordance with section 3-20 of the general statutes and from
125 time to time renewed. Such bonds shall mature at such time or times
126 not exceeding twenty years from their respective dates as may be
127 provided in or pursuant to the resolution or resolutions of the State
128 Bond Commission authorizing such bonds. None of such bonds shall
129 be authorized except upon a finding by the State Bond Commission
130 that there has been filed with it a request for such authorization that is
131 signed by or on behalf of the Secretary of the Office of Policy and
132 Management and states such terms and conditions as said commission,
133 in its discretion, may require. Such bonds issued pursuant to this
134 section shall be general obligations of the state and the full faith and
135 credit of the state of Connecticut are pledged for the payment of the
136 principal of and interest on such bonds as the same become due, and
137 accordingly and as part of the contract of the state with the holders of
138 such bonds, appropriation of all amounts necessary for punctual
139 payment of such principal and interest is hereby made, and the State
140 Treasurer shall pay such principal and interest as the same become
141 due.

142 Sec. 5. (*Effective July 1, 2016*) (a) For the purposes described in
143 subsection (b) of this section, the State Bond Commission shall have
144 the power from time to time to authorize the issuance of bonds of the

145 state in one or more series and in principal amounts not exceeding in
146 the aggregate five hundred thousand dollars.

147 (b) The proceeds of the sale of such bonds, to the extent of the
148 amount stated in subsection (a) of this section, shall be used by the
149 Department of Economic and Community Development for the
150 purpose of a project in the city of Hartford associated with the
151 Connecticut Equestrian and Exhibition Center, for the Ebony
152 Horsewomen, Inc.

153 (c) All provisions of section 3-20 of the general statutes, or the
154 exercise of any right or power granted thereby, that are not
155 inconsistent with the provisions of this section are hereby adopted and
156 shall apply to all bonds authorized by the State Bond Commission
157 pursuant to this section. Temporary notes in anticipation of the money
158 to be derived from the sale of any such bonds so authorized may be
159 issued in accordance with section 3-20 of the general statutes and from
160 time to time renewed. Such bonds shall mature at such time or times
161 not exceeding twenty years from their respective dates as may be
162 provided in or pursuant to the resolution or resolutions of the State
163 Bond Commission authorizing such bonds. None of such bonds shall
164 be authorized except upon a finding by the State Bond Commission
165 that there has been filed with it a request for such authorization that is
166 signed by or on behalf of the Secretary of the Office of Policy and
167 Management and states such terms and conditions as said commission,
168 in its discretion, may require. Such bonds issued pursuant to this
169 section shall be general obligations of the state and the full faith and
170 credit of the state of Connecticut are pledged for the payment of the
171 principal of and interest on such bonds as the same become due, and
172 accordingly and as part of the contract of the state with the holders of
173 such bonds, appropriation of all amounts necessary for punctual
174 payment of such principal and interest is hereby made, and the State
175 Treasurer shall pay such principal and interest as the same become
176 due.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	New section
Sec. 2	<i>July 1, 2016</i>	New section
Sec. 3	<i>July 1, 2016</i>	New section
Sec. 4	<i>July 1, 2016</i>	New section
Sec. 5	<i>July 1, 2016</i>	New section

Statement of Legislative Commissioners:

The effective date in Section 3 was changed for internal consistency.

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Treasurer, Debt Serv.	GF - Cost	See Below	See Below
Policy & Mgmt., Off.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 17 \$	FY 18 \$
Hartford	Potential Cost	See Below	See Below

Explanation

The bill establishes a pilot program in the City of Hartford related to neighborhood safety, and requires the Office of Policy and Management (OPM) and the City of Hartford to submit a report concerning the program. It specifies that the program will be funded by state, Federal, and private sources. However, it does not delineate the specific responsibilities of OPM or the City of Hartford, nor does it appropriate any state funding for the program.

The bill requires the Hartford public schools to develop a system to identify at-risk children and ask parents' permission for those children to participate in the pilot program. There is a potential cost of less than \$5,000 to the Hartford public schools to notify parents that their children are eligible to participate in the program.

The bill requires Hartford, when awarding a municipal public works contract associated with certain projects, to inquire whether the bidder contributes to the pilot program. It also requires a contractor

awarded such a contract to set aside an amount for the pilot program. This potentially increases the cost of certain public works projects in the City of Hartford.

The bill authorizes a total of \$1 million in General Obligation bonds. The total General Fund debt service cost for principal and interest payments to bond this amount over 20 years at a 4.5% interest rate is approximately \$1.5 million (comprised of \$1 million in interest and \$0.5 million in principal). The debt service cost is anticipated to be approximately \$95,000 in each of the first two years. The timing of this cost will be dependent upon when the State Bond Commission allocates the funds and bonds are issued to support the programs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 470*****AN ACT CONCERNING A PILOT PROGRAM FOSTERING NEIGHBORHOOD SAFETY AND CREATING A SET-ASIDE PROGRAM FOR PARTICIPANTS IN THE PILOT PROGRAM, AND AUTHORIZING BONDING FOR RELATED PROJECTS.*****SUMMARY:**

This bill establishes a pilot program to foster neighborhood safety in urban environments. The program is designed to provide services and programs (e.g., anger management and nonviolent dispute resolution training) to the people most likely to be victims or perpetrators of gun violence. The pilot also creates a fellowship program for young people who are likely to be such perpetrators or victims to develop leadership opportunities for personal, social, educational, and vocational growth. To qualify for the pilot program, a municipality must have a population between 124,000 and 125,000.

The bill allows the city of Hartford, when awarding a municipal public works contract associated with certain projects to inquire whether the bidder contributes to the pilot program. It also requires a contractor awarded such a contract to set aside an amount for subcontractors that contribute to the pilot program, provide certain training for the fellowship program, and hire a certain percentage of people from the fellowship program.

The bill also authorizes two separate general obligation bonds of up to \$500,000 each. The Department of Economic and Community Development must use the proceeds for Hartford city projects associated with the (1) Minority Contractors' Urban Home Initiative and (2) Connecticut Equestrian and Exhibition Center, for the Ebony Horsewomen, Inc. The bonds are subject to standard statutory bond issuance procedures and repayment requirements.

EFFECTIVE DATE: July 1, 2016

NEIGHBORHOOD SAFETY PILOT PROGRAM

Under the bill, the pilot program must serve as a blueprint for a statewide reduction of neighborhood violence. The Office of Policy and Management (OPM) secretary must select a municipality with between 124,000 and 125,000 people to participate in the pilot program.

The program must (1) serve people who are most likely to be victims or perpetrators of gun violence and (2) be funded by state, federal, or private money.

Requirements

The pilot program must provide and coordinate services, initiatives, and programs through development and implementation, community capacity building, and service coordination. Specifically, it must include:

1. school-based initiatives to connect students and their families with culturally competent social and economic service opportunities;
2. outreach to people most likely to be victims or perpetrators of gun violence and intervention programs designed to assist such people;
3. life skills training to foster resilience to risk factors associated with gun violence, including anger management and nonviolent dispute resolution;
4. a fellowship program, with a possible stipend, for young people identified by local or regional boards of education (see below) or the municipality's police department or community leaders as most likely to be victims or perpetrators of gun violence that will provide support and developmental and leadership opportunities, including opportunities for personal, social, educational, and vocational growth;

5. a program for people participating in the fellowship program to mentor other young people who may be likely to be victims or perpetrators of gun violence;
6. coordination between the municipality and state agencies to maximize resources; and
7. partnerships between state and national philanthropic organizations to enable statewide replication and implementation of the program.

Identification of At-risk Children

The bill requires the local or regional board of education for the municipality participating in the pilot program to develop a system to identify children who are at risk of being perpetrators or victims of violence, based on the following three metrics: chronic absenteeism; behavioral information, primarily based on suspension and expulsion data; and academic issues, with primary emphasis on reading and math deficiencies.

The board of education must provide notice of the pilot program to the parent or guardian of any child (1) identified by the metrics as at risk or (2) reentering the school district after being placed or put on probation through juvenile justice system. The notice must request permission for the child to participate in the program. The request must conform with the 1996 Health Insurance Portability and Accountability Act (HIPAA) and the 1974 Privacy Act (FERPA) and its regulations.

If the parent or guardian grants permission, the child's name must be forwarded to the program's administrators for inclusion in the program. The administrators must maintain the child's information in a secure manner.

Report

The bill requires the OPM secretary and the municipality where the program is located to jointly submit a report by January 1, 2018 to the

Judiciary and Appropriations committees. The report must include:

1. the number of program participants;
2. the change in the level of gun-related violent incidents in the municipality;
3. an evaluation of the program's services, initiatives, and programs;
4. the program's cost, separated by state and private dollars; and
5. any recommendations to expand the program to other municipalities.

Following the first report, the municipality and OPM must annually submit the report by January 1 if the municipality received state funding for the previous year.

HARTFORD SET-ASIDE

The bill allows Hartford, when awarding a municipal public works contract (see BACKGROUND) associated with the (1) Minority Contractors' Urban Home Initiative; (2) Connecticut Equestrian and Exhibition Center, for the Ebony Horsewomen, Inc.; or (3) Upper Albany Main Street project, to inquire whether the bidder is a business that contributes to the pilot program and provides vocational training to young people participating in the fellowship program.

The bill also specifies that the notice of solicitation for competitive bids or request for proposals or qualifications must state that the general or trade contractor must comply with relevant state nondiscrimination and affirmative action laws for contracts and existing law's set-aside program for small contractors and minority business enterprises.

By law, the set-aside program requires contractors awarded municipal public works contracts to set aside 25% of the total value of the state's financial assistance for the contract for award to small contractors. The contractor must further reserve 25% of the set-aside

value (6.25% of the total) for exclusive bidding by certified minority business enterprises (see BACKGROUND).

The bill requires contractors who enter into a contract with Hartford that is associated with one of the above-named projects to reserve an additional 10% of the set-aside value (2.5% of the total) for subcontractors who are business enterprises that (1) contribute to the pilot program, (2) provide vocational training to young people in the fellowship program under the pilot program, and (3) hire at least 10% of such young people to work on the subcontract.

BACKGROUND

Municipal Public Works Contracts, Certified Small Contractor, and Minority Business Enterprise

A “municipal public works contract” is the portion of an agreement, financed in whole or in part by the state, entered into on or after October 1, 2015 between a municipality and an individual, firm, or corporation to construct, rehabilitate, convert, extend, demolish, or repair a public building or highway, or make other changes or improvements in real property. Contractors awarded municipal public work contracts must comply with the set-aside program if the (1) contract involves financial assistance and (2) total contract exceeds \$50,000.

By law, a “certified small contractor” is a business that (1) maintains its principal place of business in Connecticut, (2) had gross revenues of \$15 million or less during its most recent fiscal year, and (3) is independent.

“Minority business entities” are small contractors owned by women, minorities, or people with disabilities (CGS § 4a-60g).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 42 Nay 3 (03/30/2016)